

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

PREFERRED CAROLINAS REALTY, INC.,	)	
	)	
Plaintiff,	)	Civil Action 1:13-cv-00181-TDS-LPA
	)	
v.	)	
	)	
AMERICAN HOME REALTY NETWORK,	)	
INC., D/B/A NEIGHBORCITY.COM,	)	
	)	
	)	
Defendant.	)	

**PLAINTIFF PREFERRED CAROLINAS REALTY, INC.'S  
MOTION TO STRIKE ATTORNEYS'-EYES-ONLY DESIGNATIONS**

Pursuant to the parties' Stipulated Protective Order and Fed. R. Civ. P. 37, Plaintiff Preferred Carolinas Realty, Inc. ("Preferred Carolinas") hereby moves the Court to strike the Attorneys'-Eyes-Only designations attached to Defendant's answers to Interrogatory Numbers 2, 3 and 4.

Scott E. Murray, counsel for Preferred Carolinas, hereby certifies that he personally consulted with attorneys for Defendants and made diligent attempts to resolve the parties' differences with respect to this motion. On September 9, 2013, Mr. Murray participated in a telephone call with Richard Toikka, Russel Paige and Christopher Miller. As a result of that call, Defendant agreed to review the material it had designated as Attorneys' Eyes Only and to reconsider that designation. Defendant then served supplemental responses to the interrogatories that designated only portions of the responses to Interrogatories No. 2, 3 and 4 as Attorneys' Eyes Only, but Defendant refused to remove the designations in total. Defendant's supplemental responses did not resolve the parties' dispute, thereby necessitating this motion.

The undersigned counsel certifies that this motion can be presented in less than 30 minutes.

WHEREFORE, Plaintiff Preferred Carolinas asks the Court to strike the Attorneys' - Eyes-Only designations from Defendant's responses to Interrogatories No. 2, 3 and 4, to award the reasonable costs and fees of bringing this motion, and to grant all other just and proper relief.

A proposed order has been submitted.

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*Attorneys for Preferred Carolinas Realty, Inc.*

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was electronically filed this 25th day of September, 2013. Notice of this filing will be sent to all recipients listed below by operation of the Court's electronic filing system, which the parties may access through the Court's system.

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*s/Scott E. Murray* \_\_\_\_\_